REMARKS

In the Office Action mailed December 31, 2002, claims 1-10 were rejected and claims 11-14 were withdrawn from consideration. Applicants respectfully request favorable reconsideration of the rejections and allowance of the present application in view of the above amendments and remarks.

Claims 1-10 were amended above. Support for the amendments is found in the specification, including at page 3, lines 27-29; page 5, line 28, to page 6, line 1; page 7, lines 26-27; and page 19, line 15, to page 21, line 11. No new matter has been added.

The specification was objected to for containing an embedded hyperlink and/or other form of browser-executable code. The objection has been overcome by the amendments to pages 12 and 14 of the specification. Applicants thus ask that the objection be withdrawn.

Claims 1-10 were rejected under 35 U.S.C. 112, second paragraph, for alleged indefiniteness. This rejection, and the bases therefor, are traversed in view of the new claim 1 and amended dependent claims, which clearly set forth the invention. For example, in new claim 1, the term HIV TAR element has been changed to HIV TAR RNA, "which binds HIV Tat protein." The TAR RNA thus must contain a sequence sufficient to achieve its intended purpose, which is to bind HIV Tat protein. This amendment overcomes any alleged indefiniteness of the claim term HIV TAR element. Similarly, the Examiner's second and third bases for the rejection (on page 4) have been overcome in new claim 1 by the language "a snoRNA or a portion thereof which retains the ability of a snoRNA to localize in the nucleolus of a cell." Applicants thus ask that this rejection be withdrawn.

Claims 1-5 and 8-10 were rejected under 35 U.S.C. 102(b) as anticipated by Browning et al. According to the Examiner, Browning et al. disclose "a vector comprising an RNA molecule comprising an HIV TAR element, further comprising a portion of a snoRNA." The Examiner further states that the RNA molecule comprised within the vector disclosed by Browning et al. comprises a portion of a C/D box snoRNA, including a U16 snoRNA. This rejection also is traversed.

The TAR RNA decoy of Browning et al. does not utilize sno C/D box motif elements. The TAR decoy instead was expressed from a U6 promoter and was not associated with a

snoRNA. The RNA in Browning et al. is "nuclear" (see Abstract; Discussion on page 5193, first paragraph), and not nucleolar as is a snoRNA (snoRNA is short for "small nucleolar RNA"). Specifically, the nucleolus is a subcompartment of the nucleus, and is where the chimeric RNA molecule of the invention localizes as a result of the snoRNA. The claimed invention is directed to a nucleolar localized TAR decoy. For the above reasons, Applicants ask that the Section 102 rejection be withdrawn.

Browning et al. also does not render the claimed invention obvious. There is no teaching or suggestion in Browning et al. of combining a snoRNA and an HIV TAR RNA in a chimeric RNA molecule for delivering an HIV TAR RNA to the nucleolus of a cell.

In view of the foregoing, the present application is in condition for allowance. Reconsideration and favorable action are earnestly solicited.

RESPECTFULLY SUBMITTED,			
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